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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

IN REPLY REFER TO:

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CC 92-77

September 16, 1994

RECEIVED

SEP 22 1994

The Honorable Daniel Patrick Moynihan
United States Senate
464 Russell Senate Office Building
Washington, D.C. 20510

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Senator Moynihan:

Thank you for your letter on behalf of Robert H. Endee, Jr, Sheriff, Washington County Sheriff's Department, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

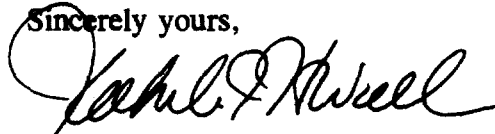
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The Honorable Daniel Patrick Moynihan
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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kathleen M.H. Wallman". The signature is fluid and cursive, with a large initial "K" and "W".

Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures

Daniel Patrick Moynihan
New York

OCA
92-77
4080

UNITED STATES SENATE

Date: 15 August 1994

Respectfully referred to:

The Federal Communications Commission

for such consideration as the enclosed
may warrant.

Sincerely,

SONIL

U.S.S.



ROBERT H. ENDEE, JR.
SHERIFF

CLIFTON F. HOWARD, JR.
UNDERSHERIFF

WASHINGTON COUNTY
SHERIFF'S DEPARTMENT
'SALEM, NEW YORK 12865

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JULY 29, 1994

THE HONORABLE DANIEL P. MOYNIHAN
U. S. SENATE
WASHINGTON, D. C. 20515

DEAR SENATOR MOYNIHAN:

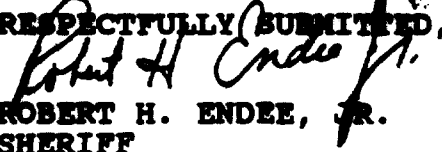
I AM CONCERNED ABOUT THE PROPOSED BILLED PARTY PREFERENCE REGULATION (DOCKET 92-77) FOR LONG DISTANCE TELEPHONE CALLS. THERE ARE THREE PARTICULAR AREAS THAT WILL BE AFFECTED TO OUR DETRIMENT, NAMELY:

- (1) WE WILL LOSE BLOCKING CONTROL OF OUR INMATE PHONE CALLS.
- (2) WE WILL LOSE A REVENUE STREAM AND THE INMATE FAMILY PHONE COST COULD GO UP.
- (3) THE POTENTIAL FOR FRAUD WILL CREEP BACK INTO THE SYSTEM.

ALONG WITH THESE MAJOR CONCERNS, I ALSO SEE A PROBLEM WITH WHO IS GOING TO PAY FOR ALL THIS?

I EAGERLY OPPOSE THE BPP AND ENCOURAGE THE FCC TO DO THE SAME.

THANK YOU,

RESPECTFULLY SUBMITTED,

ROBERT H. ENDEE, JR.
SHERIFF

re/jm